

Specie III (claims 2, 6, 10, 14, 18, 22, 26, 30, 34, 38, 42, 46, 50, 54, 58, 62, 66, 70, 74, 78, 82, 86, 90, 94, and 98); directed to an alloy thermal fuse having a fuse element and a material for the fuse element having an Sn-Bi-In alloy composition containing 20-45% In; and

Specie IV (claims 2, 4, 6, 8, 12, 16, 20, 24, 28, 32, 36, 40, 44, 48, 52, 56, 60, 64, 68, 72, 76, 80, 84, 88, 92, 96, and 100), directed to an alloy thermal fuse having a fuse element and a material for the fuse element having an Sn-Bi-In alloy composition containing 20-45% In and 0.1 to 3.5 weight percent of one or more of Ag, Au, Cu, Ni, Pd, Pt, Sb, Ga, and Ge.

Accordingly, the Examiner requests election of a single disclosed species for initial examination on the merits. The Examiner acknowledges that claims 1 and 5 are generic for species I and II and that claims 2 and 6 are generic for species III and IV.

Traversal of Election of Species Requirement

While not necessarily agreeing with the Examiner's assertion that the invention includes patentably distinct species, Applicant respectfully traverses the Examiner's assertion that claim 1 is only generic to Species I and II. Rather, claim 1 is generic to all of the claims, since, for example, claim 2 could be dependent upon claim 1, and the Examiner agrees that claim 2 is generic to Species III and IV. Specifically, claim 1 recites a specific alloy composition of Sn, In, and Bi containing 20 to 50% In, and claim 2 recites a composition which differs only in the amount of In being 20 to 45%. Accordingly, the amount of In in claim 2 is a subset of the amount recited in claim 1. Therefore, Applicant respectfully requests that claim 1 be designated as generic to Species I, II, III, and IV so that upon allowance, claims 1-100 would be rejoined in the application.

Election of Species

Applicant provisionally elects the claims of Specie I, claims 1, 5, 9, 13, 17, 21, 25, 29, 33, 37, 41, 45, 49, 53, 57, 61, 65, 69, 73, 77, 81, 85, 89, 93 and 97, for initial examination. In view of this election, prompt consideration and examination of this application are respectfully solicited.

Application No. 10/656,561  
Reply to Office Action of January 18, 2005

Information Disclosure Statements

The Examiner's attention is respectfully directed to the Supplemental Information Disclosure Statement being filed herewith, as well as the IDS originally filed with the application on September 4, 2003. Consideration and citation of the submitted prior art are requested.

Respectfully submitted,

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February 15, 2005 By: Sandra M. Katz  
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Encl: Supplemental Information Disclosure Statement